



**REGULAR COMMON COUNCIL MEETING  
NOVEMBER 1, 2010  
7:00 P.M.**

<b>Regular Meeting</b>	The Regular meeting of the Common Council of the City of Middletown was held in the Council Chamber of the Municipal Building on Monday, November 1, 2010 at 7 p.m.
<b>Present</b>	Mayor Sebastian N. Giuliano; Council Members: Thomas J. Serra, Vincent J. Loffredo, Ronald P. Klattenberg, Philip J. Pessina, Gerald E. Daley, Joseph E. Bibisi, Robert P. Santangelo Hope P. Kasper James B. Streeto, Grady L. Faulkner, Jr., Deborah A. Kleckowski, David Bauer; Corporation Counsel William Howard, Sergeant-at-arms Officer Passacantando; and Common Council Clerk Marie O. Norwood.
<b>Also Present</b>	Thirty members of the public
<b>Meeting Called to Order</b>	The Chair calls the meeting to order at 7:13 p.m. and asks Joyce Kirkpatrick to lead the public in the Pledge of Allegiance.
<b>Call of Meeting Read</b>	The Call of the meeting is read and accepted. The Mayor declares this call a legal call and the meeting a legal meeting.
<b>Motion to Accept Agenda</b>	<p>The Chair states he will entertain a motion to accept or amend the agenda. Councilman Serra moves to amend the agenda by adding a proclamation for Patricia Evans to be presented after this item and before approving the minutes; add agenda item 11-9: Approving conveying ø acre of City-owned property, Lot #350, Bysiewicz Drive for the sum of \$60,000 to the Westfield Fire Department for a future fire station in the area west of I-91; substitute Agenda Item 12 Mayoris Appointments and to move appointments as the next agenda item; substitute the Job Descriptions for the Director and Deputy Director of Communications, agenda Items 11-7 and 11-8; and substitute resolution 11-6 regarding the Water Department Utility Worker. Councilman Pessina seconds the motion. The Chair states the amendments are in order and no discussion is indicated. He calls for the vote. It is eleven aye votes by Council Members Serra, Loffredo, Klattenberg, Pessina, Daley, Bibisi, Santangelo, Kasper, Streeto, Faulkner, and Kleckowski; and one nay vote by Councilman Bauer. The Chair states we have eleven in favor and one in opposition and no abstentions. The motion passes and the agenda is adopted as amended.</p> <p>The Chair states he has the following proclamation to read. He reads it for Patricia Evans. The Chair asks Joyce Kirkpatrick to accept it on behalf of the Evans Family. Ms Kirkpatrick states as a friend of Patriciais through most of the art commission activities, she has been of value to the committee and when you see the art on the walls you will remember Patricia as well as the display case which features our special arts. Her work on the Long Hill Estate Authority and the Preservation and Design Review Board will be remembered and we will think of her.</p>

<b>Agenda Item</b>	<b>12</b>
<b>Description</b>	<b>Mayoris Appointments</b>
<b>(APPROVED)</b>	<p>The Chair states the agenda has been amended to move Mayoris appointments up, and there is a substitute 12. He reads the appointments. Councilman Serra moves them for approval and Councilman Pessina seconds the motion. The Chair states confirmation of the appointments has been moved and seconded and asks if there is any discussion; hearing none, he calls for the vote. It is unanimous to approve with twelve aye votes. The Chair states the matters pass unanimously.</p> <p><b><u>Public Safety Telecommunications Commission:</u></b> Reappointment of David Darling to July 31, 2013</p> <p><b><u>Kleen Energy Memorial Committee:</u></b> Appointment of Paul Venti Appointment of Carol Beamer Appointment of Todd Berch Appointment of Hope Kasper Appointment of Joseph Bibisi</p> <p><b><u>Affirmative Action Committee:</u></b> Appointment of Anthony Gaunichaux to fill a vacancy to April 30, 2011.</p>

<b>Agenda Item</b>	<b>4</b>
<b>Description</b>	<b>Approval of Minutes</b>

The minutes of the regular Common Council meeting of October 4, 2010 at 7 p.m. meeting; Special Meetings of September 28, 2010 at 7 p.m., October 4, 2010 at 6 p.m., October 14, 2010 at 6 p.m. and October 14, 2010 at 7 p.m. having been deposited with the Mayor and Corporation Counsel and copies of the same having been served on each and every Council Member, the reading of the same having been dispensed with, Councilman Serra moves them for approval and is seconded by Councilman Pessina. There is no discussion. The Chair calls for the vote. Councilman Klattenberg states he abstains from the vote on the October 14 special meeting at 6 p.m. and he was not present for the workshop and the special meeting. The Chair states you are abstaining from everything on October 14. Councilman Klattenberg responds that is correct. Councilman Streets abstains from all meetings of October 14; Councilman Faulkner states he abstains from the meeting of October 4, 2010 at 6 p.m., September 28, 2010, and October 14 at 6 p.m., the traffic appeal; Councilman Loffredo states he will abstain from the vote of September 28, 2010 and October 4, 2010 at 6 p.m.; Councilman Santangelo states he will abstain from the vote of the meetings of October 4, 2010 at 6 p.m. and 7 p.m. The Chair states are there any others. Seeing none and no discussion indicated, he calls for the vote. There are no nay votes. The Chair states the matters pass with the abstentions noted.

<b>Agenda Items</b>	<b>4 and 5</b>
<b>Description</b>	<b>Public Hearing Opens</b>

The Chair opens the public hearing at 7:22 p.m. on any item on tonight's agenda. He cautions that as soon as we close that one, he will open a second hearing on the bond ordinance.

Attorney Mike Dowley represents the Westfield Fire Department and your amended agenda holds an item to purchase a piece of property for Westfield. It is on the west side of I-91 and it is a critical area to be developed. The Aetna parcel is out there and we also have the industrial development from Mr. Bysiewicz and in the last couple of years we have had two or three developments with water breaks that prevented access for getting to that area except through West Street in Cromwell. We made a presentation before the Economic Development Commission and on grounds of public safety alone, it was passed by EDC. It is proper planning of the department. He states he has three commissioners here if there are questions.

Earle V. Roberts states he has two concerns on the agenda. The first is 11-1, approving the postponing of reval. He called the director to get background on this; his concern is a wait and see for another year and the issue is the difficult items between commercial and residential problems. It is a symptom of a bad economy and there are so many properties for sale and foreclosed out there and it is not getting better. He is bringing it up because we have to be cognizant at budget time of the realities. On a positive issue is the Senior Center. As he understands the discussion, this will happen. He reminds the purchase of it, it is a buyer's market. As far as the compatibility for the usage of the building for a senior center on that parcel, there should be study for the present usage and needs that we have. We need to understand those usages and how they apply to the property. We need to look at mass transit to the location or an adjustment to it. Another issue dealing with politics, he learned from the Labor Board, that people who retired on social security increased by 23% over the last five years. There will be a lot of people who will have needs and what they are. He hopes those points are your concerns as well.

Sal Caracoglia has a question, any time he brings in signs to the meeting, he has an officer approach him and tell him he can't have the signs. He wants to know if there is an ordinance. The Chair states it is not on the agenda; you can ask me that question anytime you want. Mr. Caracoglia states he asked the City Attorney and he answered me. The Chair states this is for items on the agenda and we will not debate the signs. I will be happy to discuss that with you, but not now. Mr. Caracoglia states nothing upsets him on the agenda now. He extends congratulations to Councilman Santangelo from being a jackass to stupid. Councilman Santangelo objects to the comments.

Ed Dypa talks about transferring funds or the appropriation for the senior center and would like the Council to approve it. We need a study done on the school prior to any purchase and he requests the Council to approve that portion for the study. He discusses the transfer of property to Westfield Fire and urges the Council to approve that as well.

**Public Hearing Closed** The Chair asks if there are other members of the public who wish to speak to come forward. Seeing none, the Chair closes the public hearing on agenda items at 7:31 p.m.

**Agenda Item 6 and 7**  
**Description Public Hearing on Bond Ordinance for Parking Improvements**

**Public Hearing Opens** The Chair opens the public hearing on the bond ordinance for parking improvements at 7:31 p.m.

Councilman Bauer states he has a question and asks if Corporation Counsel could reply; The Chair states we will save that for when the item is moved and seconded. This is the public hearing. He asks again if there are any members of the public wishing to address the bond ordinance.

**Public Hearing Closes** Seeing no one wishing to address the Parking Improvements Bond Ordinance, the Chair closes the public hearing at 7:32 p.m.

**Agenda Item 8**  
**Description Appropriation Requests**

Council Clerk Norwood reads the appropriation requests and the Certificate of the Director of Finance:

**Appropriation Requests**

Notice is hereby given that a regular meeting of the Common Council of the City of Middletown will be held in the Council Chamber of the Municipal Building on **Monday, November 1, 2010 at 7:00 p.m.** to conduct a public hearing, consider and act upon the following:

Parking Department \$6,500, Account No. 1000-18500-55127, Service Assessment Study Arcade, General Fund.

Senior Center \$59,800, Account No. 3082-13000-59200-x-03875-2009-x, Senior Center Renovation, General Fund (This request is amending the expenditure of an appropriation approved by the Council on January 4, 2010 to purchase St. Sebastianis School, Durant Street).

Any and all persons interested may appear and be heard.

ATTEST:  
SEBASTIAN N. GIULIANO  
Mayor

**Public Hearing, Bond Ordinances to be considered by the public on October 4 and acted upon by the Council on November 1, 2010:**

1. AN ORDINANCE AMENDING AN ORDINANCE APPROPRIATING \$365,000 FOR FIRE STATION HEADQUARTERS BUILDING ENERGY CONSERVATION IMPROVEMENTS AND AUTHORIZING THE ISSUE OF \$365,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE
- (The purpose of the amendment is to change the project scope to add a new energy efficient roof, delete iAct!Earthi, increase the appropriation and bond authorization \$385,000, from \$365,000 to \$750,000, and to ratify, confirm and adopt the prior ordinances in connection therewith.)
2. AN ORDINANCE AMENDING AN ORDINANCE APPROPRIATING \$590,000 FOR RUSSELL LIBRARY ENERGY CONSERVATION IMPROVEMENTS AND AUTHORIZING THE ISSUE OF \$590,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE
- (The purpose of the amendment is to change the project scope to add a iWOWi sustainability management system kiosk and educational program, delete iAct!Earthi, increase the appropriation and bond authorization \$90,000, from \$590,000 to \$680,000, and to ratify, confirm and adopt the prior ordinances in connection therewith.)
3. AN ORDINANCE REPEALING AN ORDINANCE ENTITLED iAN ORDINANCE APPROPRIATING \$350,000 FOR FIRE STATION SOUTH BUILDING ENERGY CONSERVATION IMPROVEMENTS AND AUTHORIZING THE ISSUE OF \$350,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSEi

**Certification of Funds**

To: His Honor Mayor Sebastian N. Giuliano  
and Members of the Common Council

From: Finance

Date: October 29, 2010

RE: Certification of Funds

This is to certify that funds for the appropriations requested at your meeting of November 1, 2010 are available as follows:

General Fund	\$ 6,500
Senior Center	\$59,800

Amending the expenditure  
Of an approp. From 1/4/2010

This is to certify that funds sufficient to meet the appropriations requested at your meeting on November 1, 2010 are available as follows:

An Ordinance Amending an Ordinance for the Fire Station Headquarters Building to	\$750,000
An Ordinance Amending An Ordinance for the Russell Library to	\$680,000
An Ordinance Repealing an Ordinance for the Fire Station South Building	\$350,000

Respectfully submitted,  
  
Carl Erlacher  
Director of Finance

**Parking Department Request:**

Councilman Serra reads the appropriation request for \$6,500 for approval and his motion is seconded by Councilman Klattenberg. Councilman Daley states based on Director Hartley’s explanation, and I don’t want to delay the evaluation of the arcade. I will support this and we need to take note that we paid for a two part study and a second was a structural assessment. He has asked about it for a couple of months and asked for a copy and Director Hartley did get a copy; it is disturbing when you ask that we couldn’t get a timely answer and we were sure there was no such general evaluation and there was one of the Arcade. He hopes this study will be the third that Purcell has done and he hopes it is put to good use.

Councilman Serra states he did see the study and Councilman Daley has a point. We should support this and if in fact it covers what he is looking for, you should watch this and not use the money. The Chair states he will see if it can be done in house by Public Works. Councilman Serra states he would agree with you. The intent is not to stop it, but if it is duplicated to not use the money.

Councilman Streeto states briefly he supports doing them in-house and some portion will be structural analysis and the state of the cement and we may well have to go out for that and he would not want to see the report done without that. The Chair states our own engineers can tell us when they need that expertise.

The Chair, hearing no further discussion, calls for the vote. It is unanimous to approve with twelve aye votes. The Chair states the matter is adopted unanimously.

**Parking Department                      \$6,500, Account No. 1000-18500-55127, Service Assessment Study**  
**(APPROVED)                                Arcade, General Fund.**

**Senior Center Request:**

Councilman Daley reads and moves for approval the appropriation amendment for \$59,800; he moves it with the understanding of a friendly amendment. Councilman Pessina seconds the motion.

**Motion to Amend**

Councilman Loffredo amends the appropriation by deleting the line reference to purchase and under the actual request, the first line remains the same; the second line would read “the updated request is to use not more than \$10,000 of this appropriation for a feasibility study for the potential purchase of St. Sebastian’s building on Durant St. to use as a new location for the senior center.” Councilman Serra seconds the motion.

Councilman Daley states he would not accept it for the dollar amount and is not sure \$10,000 would be sufficient. We might need \$20,000. He is not sure they need an exact amount. Councilman Loffredo states he has no problem leaving the amount out for \$10,000. He states the updated request “is to appropriate the money for a feasibility study for the potential purchase of the St. Sebastian building on Durant St.” Councilman Daley accepts that as a friendly amendment. We will not use the money at the existing senior center. Councilman Loffredo states there was some discussion with the director involved and he felt the \$10,000 would be more than adequate, but will offer the amendment.

Councilwoman Kasper states there should be a dollar amount and that \$60,000 is too much. There should be a limitation on the amount. Councilman Serra states it went through the committees, was it delineated in the committees. Councilman Daley responds no. Councilwoman Kasper states she believes \$10,000 was talked about. Councilman Daley states it was mentioned but he was not sure it was enough. Councilman Bauer states the friendly amendment makes it a lot more acceptable to me. He recalls they first had Public Works and he thought the Economic Development Committee thought they would bring it in for less than that. For the record, time is of the essence and he asks the Chair, as Mayor, that you will not let the cost of this process get out of hand. I would expect the difference between \$10,000 and \$12,000 to bring this in on time for consideration of this purchase. He will support not having a number. Whatever we end up with, he believes will be reasonable. We need to go into this with our eyes wide open. He will vote for the amendment the way it is. Councilman Daley states it is friendly amendment and was accepted. The Chair states if it is objected to, a vote will be called.

### Motion to Call Question

Councilman Streeto calls the question; Councilman Pessina seconds the motion. The Chair calls for the vote and it is eleven aye votes by Council Members Serra, Loffredo, Klattenberg, Pessina, Daley, Bibisi, Santangelo, Streeto, Faulkner, Kleckowski, and Bauer; and one nay vote by Councilwoman Kasper. The Chair states the motion carries with eleven aye votes and one in opposition.

The Chair calls for the vote on the amendment. It is unanimous to approve with twelve aye votes. The Chair states the amendment is adopted without objection.

Councilman Serra asks about the professional service selection and it will possibly be a Public Works building, should they be involved with the consultants. The Chair states we have Acari for the senior center and is not sure they will have to hire someone else unless we have to abate something. Councilman Streeto states Public Works doesn't meet until the middle of next week and time is of the essence and we need to move it to get it on the December or January agenda.

The Chair, seeing no further discussion, calls for the vote. It is unanimous to approve with twelve aye votes. The Chair states the matter passes without objection.

## Senior Center

**\$59,800, Account No. 3082-13000-59200-x-03875-2009-x, Senior Center Renovation, General Fund (This updated request is amending the expenditure of an appropriation approved by the Council on January 4, 2010 to use this appropriation for a feasibility study for the potential purchase of St. Sebastian's building on Durant St. to use as a new location for the Senior Center.)**

**(APPROVED)**

### Agenda Item

**8-1**

Councilman Klattenberg reads the ordinance, agenda item 8-1, amending the Fire Headquarters, through Section 1.

## Motion to Waive Rules

Councilman Serra moves to waive the reading of the remainder of the ordinance; his motion is seconded by Councilman Pessina. The Chair states it has been moved and seconded, and calls for a vote. It is unanimous to approve with twelve aye votes. The Chair states the motion carries to waive the reading of the rest of the ordinance.

Councilman Klattenberg moves the bond ordinance for approval; his motion is seconded by Councilman Streeto.

Councilman Bauer states for agenda items 8-1 and 8-2 and they are borrowings between \$500,000 \$750,000, donit we need two hearings. Councilman Streeto states this is the second hearing. Corporation Counsel states it is an abstract of the Council agenda of October 4. Councilman Bauer states that was then and this is now. Corporation Counsel Howard states it is the same ordinance before you tonight. The Chair states we had a public hearing on October 4 and we held another tonight and we have satisfied the Charter.

There is no further discussion. The vote is called by roll call:

Councilman Bauer	Nay
Councilman Bibisi	Aye
Councilman Daley	Aye
Councilman Faulkner	Aye
Councilwoman Kasper	Aye
Councilman Klattenberg	Aye
Councilwoman Kleckowski	Aye
Councilman Loffredo	Aye
Councilman Pessina	Aye
Councilman Santangelo	Nay
Councilman Serra	Aye
Councilman Streeto	Aye

The Chair states the matter passes with ten affirmative votes and two negative votes and none abstaining.

Ordinance No.  
File Name  
Description

81-10  
10novbondamendingfirestationenergy.doc  
An Ordinance amending an ordinance appropriating \$365,000 for Fire Station Headquarters building Energy Conservation Improvements and authorizing the issue of \$365,000 bonds of the City to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose.

(The purpose of the amendment is to change the project scope to add a new energy efficient roof, delete "Act!Earth," increase the appropriation and bond authorization \$385,000 from \$356,000 to \$750,000 and to ratify, confirm, and adopt the prior ordinances in connection therewith.)

(APPROVE)

An ordinance entitled "An Ordinance Appropriating \$365,000 For Fire Station Headquarters Building Energy Conservation Improvements And Authorizing The Issue Of \$365,000 Bonds Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose" adopted by the City Council on June 29, 2010, which prior ordinance is hereby ratified, confirmed and adopted, is amended to increase the appropriation and bond authorization therein by \$385,000, from \$365,000 to \$750,000, and to revise the scope of work as follows:

Section 1. The title of the ordinance is amended to read as follows:

AN ORDINANCE APPROPRIATING \$750,000 FOR FIRE STATION HEADQUARTERS BUILDING ENERGY CONSERVATION IMPROVEMENTS AND AUTHORIZING THE ISSUE OF \$750,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 2. Section 1 of the Ordinance is amended by substituting the amount of \$750,000 for \$365,000 and to revise the project to provide for a new energy efficient roof and to delete the "Act!Earth" communication program, thereby making Section 1 read as follows:

"The sum of \$750,000 is hereby appropriated for the planning, acquisition and construction of Fire Station Headquarters Building energy conservation improvements (hereafter the "Project") consisting of boiler replacement, new roof, weatherization, lighting upgrades, water conservation, DDC upgrades, warranty and energy savings guarantee contracts, equipment, installation, consultants, engineers, testing, legal, administrative and financing costs, and as more fully set forth in design and construction documents prepared by Honeywell International, Inc., including a scope of work proposal dated September 21, 2010, or so much thereof or such additional improvements as may be accomplished within said appropriation. Said appropriation shall be inclusive of state and federal grants in aid thereof. The Mayor is authorized to enter into contracts to implement the improvements and guarantee energy savings."

Section 3. Section 2 of the ordinance is amended by substituting the amount of \$750,000 for \$365,000, thereby making the second sentence of Section 2 read as follows:

"The total estimated cost of the project is \$750,000 no portion of which is expected to be paid from sources other than the proposed bond issue."

Section 4. Section 3 of the ordinance is amended by substituting the amount of \$750,000 for \$365,000, thereby making the first sentence of Section 3 read as follows:

"To meet said appropriation \$750,000 bonds of the City, or so much thereof as may be necessary for said purpose, may be issued, maturing not later than the fifteenth year after their date, or such later date as may be allowed by law."

Section 5. Section 6 of the prior ordinance is replaced with the following:

"The issue of the bonds aforesaid and of all other bonds or notes of the City heretofore authorized but not yet issued, as of the effective date of this Ordinance, would not cause the indebtedness of the City to exceed any debt limit calculated in accordance with law as shown by the "Debt Statement" attached hereto."

September 28, 2010  
CITY OF MIDDLETOWN, CONNECTICUT

ANNUAL RECEIPTS FROM TAXATION AND REIMBURSEMENTS ("BASE")			
Fiscal Year Ended June 30, 2009			99,756,396
BORROWING CAPACITY FOR EACH CLASS			
2-1/4 times base for General Purposes			224,451,891
4-1/2 times base for Schools			448,903,782
3-3/4 times base for Sewers			374,086,485
3-1/4 times base for Urban Renewal			324,208,287
3 times base for Unfunded Past Benefit Obligations			299,269,188
MAXIMUM AGGREGATE BORROWING CAPACITY			698,294,772
7 times Base			
INDEBTEDNESS BONDS AND NOTES:			
GENERAL PURPOSES		23,438,550	
SCHOOLS		33,197,472	
SEWERS		4,904,703	
URBAN RENEWAL		-	
UNFUNDED PAST BENEFIT OBLIGATIONS		-	
BONDS AND NOTES AUTHORIZED BUT UNISSUED:			
GENERAL PURPOSES		20,739,741	
SCHOOLS		173,547	
SEWERS		8,672,755	
URBAN RENEWAL		-	
UNFUNDED PAST BENEFIT OBLIGATIONS		-	
CLEAN WATER FUND LOANS:			
SEWERS		7,839,902	
SUB-TOTAL INDEBTEDNESS		98,966,670	
LESS			
FEDERAL AND STATE OF CONNECTICUT BUILDING GRANTS, COMMITMENTS AND RECEIVABLES			
GENERAL PURPOSE		500,000	
SCHOOLS		538,808	
SEWERS		-	
URBAL RENEWAL		-	
TOTAL DEDUCTIONS		1,038,808	
NET INDEBTEDNESS			97,927,862
TOTAL DEDUCTIONS			
BALANCE OF BORROWING CAPACITY FOR EACH CLASS:			
GENERAL PURPOSE		180,273,600	
SCHOOLS		416,071,571	
SEWERS		352,669,125	
URBAL RENEWAL		324,208,287	
UNFUNDED PAST BENEFIT OBLIGATIONS		299,269,188	
BALANCE OF MAXIMUM AGGREGATE BORROWING CAPACITY AVAILABLE			60,366,910

Agenda Item 8-2

	Councilwoman Kasper reads the bond ordinance regarding the Russell Library through Section 1.
Motion to Waive Rules	<p>Councilman Serra moves to waive the rules to waive the reading of the remainder of the ordinance. Councilman Santangelo seconds the motion. there is no discussion. The Chair calls for the vote. It is unanimous to approve with twelve aye votes. The Chair states the motion carries unanimously to waive the reading of the rest of the ordinance.</p> <p>Councilwoman Kasper moves the bond ordinance amendment for the Russell Library for approval. Her motion is seconded by Councilman Klattenberg. Councilman Bauer will support this ordinance and his reasoning is he understands the kiosk is going to help save the taxpayer money and we had a go round on the roof and we will not get the return on the investment and he thought it was going to save the taxpayer money and the kiosk performs an important service.</p> <p>Hearing no further discussion, the Chair calls for a roll call vote.</p> <p>Councilman Bauer Aye</p>

Councilman Bibisi	Aye
Councilman Daley	Aye
Councilman Faulkner	Aye
Councilwoman Kasper	Aye
Councilman Klattenberg	Aye
Councilwoman Kleckowski	Aye
Councilman Loffredo	Aye
Councilman Pessina	Aye
Councilman Santangelo	Nay
Councilman Serra	Aye
Councilman Streeto	Aye

The Chair states the matter passes with eleven affirmative votes; one negative vote and no abstentions.

Ordinance No.  
File Name  
Description

**82-10**  
**10novrusselllibenergyamend.doc**  
**An ordinance amending an ordinance appropriating \$590,000 for Russell Library energy conservation improvements and authorizing the issue of \$590,000 bonds of the City to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose.**

**(The purpose of the amendment is to change the project scope to add a iWOWi sustainability management system kiosk and educational program, delete iAct!Earth,i increase the appropriation and bond authorization \$90,000 from \$590,000 to \$680,000 and to ratify, confirm, and adopt the prior ordinances in connection therewith.)**

(APPROVED)

An ordinance entitled iAn Ordinance Appropriating \$590,000 For Russell Library Energy Conservation Improvements And Authorizing The Issue Of \$590,000 Bonds Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purposei adopted by the City Council on June 29, 2010, which prior ordinance is hereby ratified, confirmed and adopted, is amended to increase the appropriation and bond authorization therein by \$90,000, from \$590,000 to \$680,000, and to revise the scope of work as follows:

Section 1. The title of the ordinance is amended to read as follows:

AN ORDINANCE APPROPRIATING \$680,000 FOR RUSSELL LIBRARY ENERGY CONSERVATION IMPROVEMENTS AND AUTHORIZING THE ISSUE OF \$680,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 2. Section 1 of the Ordinance is amended by substituting the amount of \$680,000 for \$590,000 and to revise the project to provide for Windows on the World (iWOWi) educational kiosk and to delete the Act!Earth communication program, thereby making Section 1 read as follows:

iThe sum of \$680,000 is hereby appropriated for the planning, acquisition and construction of Russell Library energy conservation improvements (hereafter the iProjecti) consisting of temperature controls, air handling controls, AHU economizer controls, AHU demand control ventilation, motor drive improvements, weatherization, new air handling unit, lighting upgrades, water conservation, Windows on the World (iWOWi) educational kiosk and sustainability management system, warranty and energy savings guarantee contracts, equipment, installation, consultants, engineers, testing, legal, administrative and financing costs, and as more fully set forth in design and construction documents prepared by Honeywell International, Inc., including a scope of work proposal dated September 21, 2010, or so much thereof or such additional improvements as may be accomplished within said appropriation. Said appropriation shall be inclusive of state and federal grants in aide thereof. The Mayor is authorized to enter into contracts to implement the improvements and guarantee energy savings.

Section 3. Section 2 of the ordinance is amended by substituting the amount of \$680,000 for \$590,000, thereby making the second sentence of Section 2 read as follows:

iThe total estimated cost of the project is \$680,000, no portion of which is expected to be paid from sources other than the proposed bond issue.i

Section 4. Section 3 of the ordinance is amended by substituting the amount of \$680,000 for \$590,000, thereby making the first sentence of Section 3 read as follows:

iTo meet said appropriation \$680,000 bonds of the City, or so much thereof as may be necessary for said purpose, may be issued, maturing not later than the fifteenth year after their date, or such later date as may be allowed by law.i

Section 5. Section 6 of the prior ordinance is replaced with the following:

iThe issue of the bonds aforesaid and of all other bonds or notes of the City heretofore authorized but not yet issued, as of the effective date of this Ordinance, would not cause the indebtedness of the City to exceed any debt limit calculated in accordance with law as shown by the iDebt Statementi attached hereto.i



DEBT STATEMENT  
September 28, 2010  
CITY OF MIDDLETOWN, CONNECTICUT

ANNUAL RECEIPTS FROM TAXATION AND REIMBURSEMENTS ("BASE")		
Fiscal Year Ended June 30, 2009		99,756,396
BORROWING CAPACITY FOR EACH CLASS		
2-1/4 times base for General Purposes		224,451,891
4-1/2 times base for Schools		448,903,782
3-3/4 times base for Sewers		374,086,485
3-1/4 times base for Urban Renewal		324,208,287
3 times base for Unfunded Past Benefit Obligations		299,269,188
MAXIMUM AGGREGATE BORROWING CAPACITY		698,294,772
7 times Base		
INDEBTEDNESS BONDS AND NOTES:		
GENERAL PURPOSES	23,438,550	
SCHOOLS	33,197,472	
SEWERS	4,904,703	
URBAN RENEWAL	-	
UNFUNDED PAST BENEFIT OBLIGATIONS	-	
BONDS AND NOTES AUTHORIZED BUT UNISSUED:		
GENERAL PURPOSES	20,739,741	
SCHOOLS	173,547	
SEWERS	8,672,755	
URBAN RENEWAL	-	
UNFUNDED PAST BENEFIT OBLIGATIONS	-	
CLEAN WATER FUND LOANS:		
SEWERS	7,839,902	
SUB-TOTAL INDEBTEDNESS		98,966,670
LESS		
FEDERAL AND STATE OF CONNECTICUT BUILDING GRANTS, COMMITMENTS AND RECEIVABLES		
GENERAL PURPOSE	500,000	
SCHOOLS	538,808	
SEWERS	-	
URBAL RENEWAL	-	
TOTAL DEDUCTIONS	1,038,808	
NET INDEBTEDNESS		97,927,862
TOTAL DEDUCTIONS		
BALANCE OF BORROWING CAPACITY FOR EACH CLASS:		
GENERAL PURPOSE	180,273,600	
SCHOOLS	416,071,571	
SEWERS	352,669,125	
URBAL RENEWAL	324,208,287	
UNFUNDED PAST BENEFIT OBLIGATIONS	299,269,188	
BALANCE OF MAXIMUM AGGREGATE BORROWING CAPACITY AVAILABLE		60,366,910

Agenda Item 8-3

Councilman Daley reads the bond ordinance and moves for approval the repeal of the bond ordinance for the South Fire District Station, agenda item 8-3; his motion is seconded by Councilman Pessina.

The Chair states it has been moved and seconded and calls for discussion. Seeing none, he calls for the vote roll call:

Councilman Bauer	Aye
Councilman Bibisi	Aye
Councilman Daley	Aye
Councilman Faulkner	Aye
Councilwoman Kasper	Aye
Councilman Klattenberg	Aye
Councilwoman Kleckowski	Aye
Councilman Loffredo	Aye
Councilman Pessina	Aye
Councilman Santangelo	Aye
Councilman Serra	Aye
Councilman Streeto	Aye

The Chair states 8-3 is adopted with twelve affirmative votes; no votes in opposition and no abstentions.

Ordinance No.  
File Name  
Description

83-10  
10norepealsouthfireenergybond.doc  
An ordinance repealing an ordinance entitled "An ordinance appropriating \$350,000 for Fire Station South building energy conservation improvements and authorizing the issue of \$350,000 bonds of the City to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose."

(APPROVED)

AN ORDINANCE REPEALING AN ORDINANCE ENTITLED "AN ORDINANCE APPROPRIATING \$350,000 FOR FIRE STATION SOUTH BUILDING ENERGY CONSERVATION IMPROVEMENTS AND AUTHORIZING THE ISSUE OF \$350,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE"

An ordinance entitled "An Ordinance Appropriating \$350,000 For Fire Station South Building Energy Conservation Improvements And Authorizing The Issue Of \$350,000 Bonds Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", adopted by the City Council on June 29, 2010, is hereby repealed.

DEBT STATEMENT  
September 28, 2010  
CITY OF MIDDLETOWN, CONNECTICUT

ANNUAL RECEIPTS FROM TAXATION AND REIMBURSEMENTS ("BASE")		
Fiscal Year Ended June 30, 2009		99,756,396
BORROWING CAPACITY FOR EACH CLASS		
2-1/4 times base for General Purposes		224,451,891
4-1/2 times base for Schools		448,903,782
3-3/4 times base for Sewers		374,086,485
3-1/4 times base for Urban Renewal		324,208,287
3 times base for Unfunded Past Benefit Obligations		299,269,188
MAXIMUM AGGREGATE BORROWING CAPACITY		698,294,772
7 times Base		
INDEBTEDNESS BONDS AND NOTES:		
GENERAL PURPOSES	23,438,550	
SCHOOLS	33,197,472	
SEWERS	4,904,703	
URBAN RENEWAL	-	
UNFUNDED PAST BENEFIT OBLIGATIONS	-	
BONDS AND NOTES AUTHORIZED BUT UNISSUED:		
GENERAL PURPOSES	20,739,741	
SCHOOLS	173,547	
SEWERS	8,672,755	
URBAN RENEWAL	-	
UNFUNDED PAST BENEFIT OBLIGATIONS	-	
CLEAN WATER FUND LOANS:		
SEWERS	7,839,902	
SUB-TOTAL INDEBTEDNESS	98,966,670	
LESS		
FEDERAL AND STATE OF CONNECTICUT BUILDING GRANTS, COMMITMENTS AND RECEIVABLES		
GENERAL PURPOSE	500,000	
SCHOOLS	538,808	
SEWERS	-	
URBAL RENEWAL	-	
TOTAL DEDUCTIONS	1,038,808	
NET INDEBTEDNESS		97,927,862
TOTAL DEDUCTIONS		
BALANCE OF BORROWING CAPACITY FOR EACH CLASS:		
GENERAL PURPOSE	180,273,600	
SCHOOLS	416,071,571	
SEWERS	352,669,125	
URBAL RENEWAL	324,208,287	
UNFUNDED PAST BENEFIT OBLIGATIONS	299,269,188	
BALANCE OF MAXIMUM AGGREGATE BORROWING CAPACITY AVAILABLE		60,366,910

Agenda Item

Description

9

Department, Committee, Commission Reports and Grant Approvals

Councilman Serra reads and moves for approval 9A, 9B, 9C, 9D, 9E, and 9F; Councilman Streeto seconds the motion. The Chair calls for the vote. The Chair states it is unanimous to approve with twelve aye votes. He states all are adopted with twelve affirmative votes, none opposed, none abstaining.

Agenda Item

Description

(Approved)

9A

Town Clerk Certification

October 28, 2010

I, Sandra Russo Driska, City and Town Clerk of the City of Middletown, and custodian of the records and seal thereof, hereby certify that all ordinances and appropriations passed and adopted at the regular meeting of the Common Council on October 4, 2010 at 7:00 p.m. and specials meeting on October 4, 2010 at 6 p.m., October 14, 2010 at 6 p.m. and October 14, 2010 at 7 p.m., have been advertised in the local newspaper.

Attest:  
Sandra Russo Driska  
City & Town Clerk

Agenda Item

Description

(Accepted)

9B

Monthly Reports

Finance Department – Transfer Report October 25, 2010

Public Works Monthly Report with summary Bldg Permits for September, 2010

Agenda Item

Description

(Approved)

9C

Grant Confirmation and Approval – Board of Education, Various Grants

Name of Grant: As Listed Below  
Amount Requested: \$1,819,024.39  
Code: 2450-33000-59405  
Grant Period: From: 7/1/2010 To: 6/30/2011  
Type of

Amount Loaned from General Fund: \$0.00  
Department Administering Grant: Middletown Board of Education  
When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.

Description of services to be provided by this Grant:  
760 - Bielefield-Family School Connection \$186,000; 769 - Middletown Teen Theater \$2,766.39; 796 - Education Job Funds \$973,677; 810 - Idea-Part B, Section 611-Public \$21,493; 812 - Idea-Part B, Section 619 \$137; 819 - Out of Town Magnet School Transportation \$169,000; 841 - Special Ed Medicaid \$687.50; 854 - United Way-Youth Services Development \$437.79; 866 - Hartford Symphony Mayor's Ball \$10,000; 877 - Carl D. Perkins Career & Tech Ed \$66,455; 894 - Swaim Strings Program \$13,955; 700 - Food Services Receipts \$90,464.84; 801 - Cigna Certified & Paras \$175,815.67; 804 - Preschool Program Fees \$4,529; 806 - SWAGG Parent Fees \$170; 807 - Aetna Classified \$76.71; 809 - Maintenance/Rentals \$2,390; 833 - Adult Ed Receipts \$98,550.74; 893 - Fingerprinting Receipts \$673.75; 901 - Keigwin Parent Fees \$1,745 Total Special Programs Through 9/17/2010 \$7,441,060.01 ADDITIONS \$1,819,024.39 Total Special Programs Through 10/18/2010 \$9,260,084.40

Requested by: Michael J. Frechette, Ph.D.

Agenda Item

Description

(Approved)

9D

Grant Confirmation and Approval – Police Department, Animal Control Program

Name of Grant: Animal Control Donations  
Amount Requested: \$1,454.79  
Code: 2130-18000-57030  
Grant Period: From: To:  
Type of Local

Amount Loaned from General Fund: \$0.00  
Department Administering Grant: Police Department/Animal Control  
When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.

Description of services to be provided by this Grant: The donations received will be used to defray the costs of caring for the animals impounded by the Animal Control  
Requested by: Acting Chief Patrick T. McMahon

<b>Agenda Item Description</b>	<b>9E</b>
<b>(Approved)</b>	<b>Grant Confirmation and Approval – Mayor’s Office/Arts – Cultural Leadership Grant</b>
	<b>Name of Grant:</b> 2011-LAACLP-19153 / Local Arts Agencies Cultural Leadership Program
	<b>Amount Requested:</b> \$7,000.00
	<b>Code:</b> 3090-01000-59200
	<b>Grant Period:</b> <b>From:</b> 10/1/2010 <b>To:</b> 9/30/2011
	<b>Type of</b> State
	<b>Amount Loaned from General Fund:</b> \$7,000.00
	<b>Department Administering Grant:</b> Arts Office
	When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.
	<b>Description of services to be provided by this Grant:</b>
	Support of the Local Arts Agency Cultural Leadership grant program goals of Service, Network and Capacity by providing stated services and programs to the field. This grant includes Federal funds in the amount of \$1,530.00 from the National Endowment for the Arts (NEA) to the CT Commission on Culture and Tourism (CCT)
	<b>Requested by:</b> Sebastian N. Giuliano, Mayor

<b>Agenda Item Description</b>	<b>9F</b>
<b>(Approved)</b>	<b>Emergency Purchase – Middletown Fire Department, Water heater, Cross Street Station</b>

<b>Agenda Item Description</b>	<b>10</b>
<b>(Approved)</b>	<b>Payment of City Bills</b>
	Councilman Serra moves to pay all bills that have been properly approved. Councilman Streeto seconds the motion. The Chair calls for the vote. It is eleven aye votes by Council Members Serra, Loffredo, Klattenberg, Pessina, Daley, Bibisi, Santangelo, Kasper, Streeto, Faulkner, and Kleckowski and one nay vote by Councilman Bauer. The Chair states the matter passes with eleven affirmative votes and one in opposition.

<b>Agenda Item Description</b>	<b>11</b>
	<b>Ordinances and Resolutions</b>

<b>Agenda Item</b>	<b>11-1</b>
	Councilman Serra reads and moves for approval agenda item 11-1 and is seconded by Councilman Klattenberg.
	Councilman Bauer is recognized by the Chair and states my reading of the resolution is to accept the one year delay and there is a lot of conversation about the budget and the resolution is only to accept it, he will support it. He thinks it is irresponsible not to fund the property amount each year up to the when the reval occurs.
	Councilman Pessina states there was a discussion at Finance and Government about the amount they should set aside to hire a firm and they are talking about putting in the appropriate amount for this year. Councilman Bibisi states it is housekeeping by accepting the postponement to 2013. Many of the cities lobbied the Legislature and this was done because of the economy and we should consider that this will cost us about \$1 million and we should be putting dollars in the budget for 2013.
	The Chair calls for the vote. It is unanimous to approve with twelve aye votes. The Chair states the matter is adopted unanimously

<b>Resolution No.</b>	<b>139-10</b>
<b>File name</b>	<b>ccpostponerevaluation.doc</b>
<b>Description</b>	<b>Approving postponing the revaluation of the City to 2013 pursuant to Public Act 10-152, Section 4.</b>
<b>(APPROVED)</b>	<b>WHEREAS</b> , the City of Middletown, by State Statute is scheduled to complete a revaluation that must include a physical inspection of all property in Middletown by October, 2012; and
	<b>WHEREAS</b> , a full physical inspection revaluation is costly and must commence with an RFP in the spring of 2011 and an estimated cost for the 2010-2011 budget of \$100,000; and
	<b>WHEREAS</b> , the Council would have to appropriate funds to begin this process in December or January and then fund an estimated \$900,000 in the 2011 & 2012 budget to complete it; and

**WHEREAS**, the State of Connecticut has legislated that Middletown can postpone the revaluation until 2013 if approved by its legislative body thus postponing the estimated expenditure of \$900,000 for a year.

**NOW, THEREFORE, Be it Resolved by the Common Council of the City of Middletown:** That the Common Council, the legislative body of the City of Middletown, approves a decision to not implement revaluation until 2013 pursuant to Public Act 10-152, Section 4.

**Fiscal Impact:** By postponing the revaluation, the Council will not have to appropriate approximately \$100,000 from this year's general fund balance and will put off having to budget for an additional \$800,000 for fiscal year 2010-2011 to fiscal year 2011-2012.

**Agenda Item** 11-2

Councilman Streeto reads and moves for approval agenda 11-2; Councilman Serra seconds the motion. Councilman Streeto states Public Works did obtain three bids from different companies and \$15 was the lowest and we have used this company for several years and like the quality of the product and we will try a test of a clear lane product. The Chair, seeing no further discussion, calls for the vote. It is unanimous to approve with twelve aye votes. The Chair states the matter is adopted unanimously.

**Resolution No.**  
**File Name**  
**Description**

**140-10**  
**pwsandbidwaiver10-11.doc**  
**Approving the waiving of competitive bidding in accordance with Section 78-8 of the Middletown Code of ordinances to purchase sand for the upcoming winter from WFS Earth who submitted the lowest bid of \$15 per cubic yard.**

**(APPROVED)**

**Whereas**, Connecticut Region of Governments (CROG) sought bids for winter sand and only two vendors submitted quotes; and

**Whereas**, both vendors and the company the City used last winter season were contacted to submit a per cubic yard price; and

**Whereas**, the vendor the City used for the last four years, W.F.S. Earth, submitted the lowest price, \$15 per cubic yard; and

**Whereas**, the Purchasing & Standardization Committee has unanimously approved the bid waiver after reviewing appropriate documentation and interviewing the Director.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That in accordance with Chapter 78-8 of the Middletown Code of Ordinances, the competitive bidding requirement is hereby waived to purchase winter sand from WFS Earth for the upcoming winter season.

**Fiscal Impact:** The price of the sand, per cubic yard is the same as last year and W.F.S. Earth is the lowest bidder. This is a yearly expenditure and based on the number of storms the City sees. Holding the price to last year's could provide savings for the City if there are many wintry storms.

**Agenda Item** 11-3

Councilman Faulkner reads and moves for approval agenda item 11-3; his motion is seconded by Councilman Streeto. No discussion is indicated and the vote is called. It is unanimous to approve with twelve aye votes. The Chair states the matter is adopted unanimously.

**Resolution No.**  
**File Name**  
**Description**

**141-10**  
**PCDCDBGreprogramming110110.doc**  
**Approving the reprogramming of \$10,000 from the 2008 CDBG for St. Vincent DePaul renovation of the Amazing Grace Food Pantry at 16 Stack Street and that the 2009 CDBG Grant for the Code Enforcement Committee be used for demolition of blighted properties in the north end and authorizing the Mayor to sign and submit to the U. S. Department of Housing and Community Development any necessary amendments to the Consolidated Plan to reflect reprogramming of funds from 2008 and 2009.**

**(APPROVED)**

**WHEREAS**, the City of Middletown receives Community Development Block Grant (CDBG) funds from the U.S. Department of Housing & Urban Development (HUD) as an entitlement community; and

**WHEREAS**, the final rule was published on January 5, 1995 in the Federal Register for the Consolidated Submission for Community Planning & Development Programs; and

**WHEREAS**, the City of Middletown has received an additional \$110,460 in Community Development Block Grant funds through the American Recovery and Reinvestment Act of 2009; and,

**WHEREAS**, the City of Middletown has received \$415,207 in Community Development Block Grant funds for the 2009 entitlement year ; and,

**WHEREAS**, pursuant to the HUD final rule, revisions to the City of Middletown Citizen Participation Plan have been adopted which includes the process by which the Citizens Advisory Committee prepares the Consolidated Plan;

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That the 2008 CDBG Stimulus Grant of \$10,000 be reprogrammed for use by St. Vincent DePaul for the renovation of its new Amazing Grace Food Pantry at 16 Stack Street; and

**BE IT FURTHER RESOLVED:** That the following 2009 CDBG Grant for Code Enforcement be authorized for use to demolish blighted properties in the North End;

**AND BE IT FURTHER RESOLVED:** That the Mayor is authorized to sign and submit to the U.S. Department of Housing and Community Development any necessary amendments to Consolidated Plan, 2008 Annual Action Plan and 2009 Annual Action Plan reflect above changes.

**FISCAL IMPACT** ó These projects are funded through an annual entitlement grant from the US Department Housing and Urban Development. Staff time to administer the grants is also funded through the grant. The fiscal impact on the existing grants, is to alter the allowed activities, not reduce or increase grant amounts. In the case of Amazing Grace the use will change from a planning activity to a construction activity and for Code Enforcement it will allow the use of funds for elimination of blight not just enforcement activities. There is no impact on the general fund.

**Agenda Item** **11-4**

Councilman Daley reads and moves for approval agenda item 11-4; his motion is seconded by Councilman Santangelo. The Chair states agenda item 11-4 has been moved and seconded. Councilman Bauer is recognized and states he will not approve this and if he thought he could he would amend the fiscal impact and we are directing the funds into the Economic Development Fund. To lock in money to EDC this far in advance, I don't think it is good fiscal policy. We should let this go to the general fund and let EDC get its monies the old fashioned way.

Councilman Daley states this is the good old fashion way. They can't levy taxes and it relies on the economic development initiatives to keep funding the fund. What has occurred, years ago prior to his tenure, there were extra appropriations at the time the budget was adopted and it has not been done for years because of such projects as this. He hopes that we will have plenty of opportunity in the future for economic development and putting funds there is a good idea and that fund, monies can always be appropriated from there for whatever the Council desires. We are building a reserve fund so we don't have to rely on budgeting money separately. He urges the Council to support this and points out that the idea is to save the City the transfer costs for taking this environmentally distressed property and putting it to good use. The City entered into a purchase agreement with the company and since then there were additional costs to be borne by the City and this will save those costs.

The Chair states didn't the Economic Development Fund get \$50,000 every budget. Councilman Daley states yes and for several years he tried to push it up but they have found ways to get funding. There may have been years where it got \$100,000. The Chair states the system seems to be working.

Councilman Bauer states for the record, he made comments not out of ignorance and he remembers some of them and that is what he was referring to and it is more transparent. He would like it done in the budget year and competing with the needs of the City and he was not able to get as good analysis on this transference because so long as it is a lease, it is not on the grand list and won't be for another 15 years and he never saw analysis of what we would gain by having it on the grand list.

The Chair states you might be able to tax leasehold property. Councilman Daley responds he thinks the taxes might have been rolled into the lease payment and the transfer property costs were very high. The Chair calls for the vote. It is eleven aye votes by Council Members Serra, Loffredo, Klattenberg, Pessina, Daley, Bibisi, Santangelo, Kasper, Streeto, Faulkner, and Kleckowski and one nay vote by Councilman Bauer. The Chair states the matter passes with eleven affirmative votes, one negative vote, and no abstentions.

<b>Resolution No.</b>	<b>File Name</b>	<b>Description</b>

**142-10**  
**PCDPortlandChemLeaseFINAL.doc**  
Approving the long term lease at the Portland Chemical property to RJAJ, LLC with an option to buy at a later date and authorizing the Mayor to sign all documents to implement the lease/option to buy with RJAJ, LLC and approving the lease payments going to the Economic Development Fund.

(APPROVED)

**Whereas**, the City of Middletown has completed the environmental remediation of the Portland Chemical property using federal EPA funds; and

**Whereas**, the property is comprised of approximately 55,000 sq. ft. of usable area for outdoor storage with a prohibition on the construction of any buildings on the environmental cap; and

**WHEREAS** the property will contain an land use restriction and has little if any value to anyone other than RJAJ, LLC; and

**Whereas**, the Common Council entered into a purchase and sale agreement in 2005 to transfer said property at a price of \$153,500, after clean up, to RJAJ, LLC with the understanding the buyer is taking on none of the previous environmental liability, and

**Whereas**, after the environmental remediation and capping and allowable wetlands filling the Assessor places a value between \$85,000 and \$115,000 on the usable area;

**Whereas**, a transfer to RJAJ, LLC at this time would cost the city more than it would realize from the sale due to the required transfer act filings, preparation of environmental land use restrictions, installation of additional ground water monitoring wells and quarterly ground water monitoring; and

**Whereas**, if the buyer choose not to exercise the option the city would have to reimburse their initial deposit of \$51,000 pursuant to the original purchase and sale agreement; and

**Whereas**, at the October 25, 2010 meeting of the Economic Development Committee, the committee voted to recommend to the Common Council of the City of Middletown the long term long term (50 year lease based on five renewable terms of ten years each) lease of the Portland Chemical property to RJAJ, LLC with the option to buy at a later date, and

**Whereas**, the Planning and Zoning Commission issued an affirmative CGS 8-24 review on October 28<sup>th</sup>, 1998 regarding RJAJ, LLCis proposed use of the property; and

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That the Mayor is hereby authorized to sign all documents necessary to implement the long term (50 year lease based on five renewable terms of ten years each) lease/option to buy agreement with RJAJ, LLC at the Portland Chemical property with lease payments going to the Economic Development Fund.

**FISCAL IMPACT ó RJAJ, LLC paid an initial \$56,000 deposit and upfront costs. Lease payments will begin once the initial \$56,000 is depleted. Annual payments to the Economic Development Fund of \$11,000 will begin in year 6 and end in year 15, when the total purchase price has been paid. There is no impact on the general fund.**

**Agenda Item** 11-5

Councilman Santangelo reads and moves agenda item 11-5 for approval and his motion is seconded by Councilman Streeto. The Chair, seeing no discussion indicated, calls for the vote. It is unanimous to approve with twelve aye votes. The Chair states the matter passes unanimously.

**Resolution No.  
File Name  
Description**

**143-10  
pcdRemingtonGrasshopper.doc  
Authorizing the Mayor to sign documents for the modification of the lease agreement with Grasshopper, LLC at 180 Johnson Street with said lease terms for months 1 – 4 with no rent in recognition of agreed upon tenant funded improvements; rent for months 5 – 12 at \$1,333 per month and in years two through five, an increase of 4% in the annual rent.**

(APPROVED)

WHEREAS, Grasshopper, LLC is seeking to lease 4,000 square feet of space at the former Remington Rand property (180 Johnson Street) for the purpose of manufacturing clothing.

WHEREAS, at the October 25, 2010 meeting of the Economic Development Committee, the Committee voted to recommend to the Common Council the proposed lease for 4,000 square feet for 5 (five) years to Grasshopper, LLC. In recognition of the agreed upon tenant funded improvements, the lease terms for months 1-4 with no rent and then months 5-12 at \$1,333 per month. In years 2-5 there will be a 4% increase in the annual rent.

WHEREAS, the Planning and Zoning Commission, at their October 27, 2010 meeting will review the request by the Economic Development Committee to grant a GS 8-24 review to allow the City of Middletown to enter into a lease agreement with Grasshopper, LLC at the former Remington Rand property (180 Johnson Street).

NOW, THERFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:

That the Mayor is hereby authorized to sign all documents necessary to implement the modification of lease agreement with Grasshopper, LLC at 180 Johnson Street.

**FINANCIAL IMPACT ó** As delinquencies rise because of the economy it is critical that Remington Rand secure additional revenue to run the building and pay back the \$225,000 operating cost loan from the general fund. This resolution will authorize a new tenant who will pay \$16,000 per year.

**Agenda Item** 11-6

Councilman Streeto reads and moves for approval agenda item 11-6; his motion is seconded by Councilman Pessina. The Chair recognizes Councilman Bauer. He states he is opposed to this and could be a wise idea. On some of the subcommittees, what we have tonight is one sheet of paper and he asks if we could have had an analysis. He doesn't know what the projected business plan is for what the revenues would be. He is hopeful that the investment we made in technology would increase efficiencies and that issue has not been addressed. If it were simple, they would show me and he hasn't seen it.

Councilman Streeto states at the WPCA meeting, they went through it and the director indicated that the additional position is temporary and to meet contractual obligations with Kleen Energy and given that he is down a position, there is possibility he won't be able to meet that without passing this resolution. Mr. Guy Russo, Director of Water and Sewer, explained we would not meet the obligation and keeping them from completing the plant and a possible lawsuit. It is a critical and necessary filling. I think the Personnel Review Committee reached a similar conclusion even though some would like to leave frozen positions frozen. Councilman Bauer states in response he would love to see the contract. If it is, just give me an executive summary on how these numbers come together. Councilman Streeto responds they are in your WPCA summary.

Councilman Daley states as he reads this, he sees a new facility coming on line, the water facility associated with Kleen Energy is coming on line and the department is asking for not a permanent increase, but a temporary overlap to allow for the initiation of those operations without diminution of service to the rest of the City and it makes good sense. We need to realize when we know that we will have attrition in key positions, maybe we need to fund the Salary Reserve line better so we can provide for these overlaps and have orderly transition in these positions. We should not run out vacation; that is not the right way to go. The department will absorb this for six months. The Chair states this is ultimately general fund and the Kleen Energy wells are the City of Middletown's and any excess will go to the general fund and will ultimately pay for it. Councilman Serra states it has been endorsed by the Personnel Review Commission and the wells will be online in April and the person will retire in July and this will go so there is a seamless transition.

The Chair calls for the vote; it is eleven aye votes by Council Members Serra, Loffredo, Klattenberg, Pessina, Daley, Bibisi, Santangelo, Kasper, Streeto, Faulkner, and Kleckowski; and one nay vote by Councilman Bauer. The Chair states the matter passes with eleven affirmative votes, one negative vote, and no abstentions.

Resolution No.	144-10
File Name	pewaterseweroperationspositionamended.doc
Description	Approving the request for one Water Utility Operator position in the Water Department budget in the current fiscal year, effective immediately and approving establishing the funding for a temporary, fifth Water Utility Operator to allow for training in anticipation of a retirement in the department.
(APPROVED)	
	BE IT RESOLVED BY THE COMMON COUNCIL FOR THE CITY OF MIDDLETOWN THAT: The Water Department be allowed to unfreeze one Water Utility Operator Position in its budget in the current year effective immediately, and:
	BE IT FURTHER RESOLVED: That the Water Department be allowed to establish a fifth operator position, funded on a temporary basis (6 months) to allow for the initiation of operations with the Kleen Energy Plant and for training of an operator, as a current operator transitions to retirement. On or about July 1 <sup>st</sup> 2010 the compliment of operators shall return to the maximum number of four (4).
	Fiscal Impact: Impact on this issue is approximately \$60,000, and funding is available from the Water Fund Balance.

Agenda Item 11-7

Councilman Serra reads and moves for approval agenda item 11-7; Councilman Santangelo seconds the motion. Seeing no discussion, the Chair calls for the vote. It is unanimous to approve with twelve aye votes. The Chair states the matter passes unanimously.

Resolution No.	145-10
File Name	pedirectorCentralCommunications.doc
Description	Approving reclassifying the position of Chief Communications Officer to Director of Central Communications, MMPA, salary Grade 16 (\$30.74 - \$45.50), no change in salary, confirming the appointment of Wayne Bartolotta as Director of Central Communications and approving



(APPROVED)

removing the position of Chief Communications Officer from the classified plan.

Be it resolved by the Common Council of the City of Middletown:

That the position of Chief Communications Officer, MMPA, Salary Grade 16 (\$30.74 - \$45.50) be reclassified to Director of Central Communications with no change in salary, and the Chief Communications Officer position be removed from the classified plan.

BE IT FURTHER RESOLVED THAT: Wayne Bartolotta be confirmed as Director of Central Communications.

Fiscal Impact: There is no fiscal impact since there will be no change in salary.

Position Description

Title:	Director of Central Communications—	
Department:	Central Communications	
Date:	Revised October 2010	Salary Grade 16 MMPA

Purpose of Position

The purpose of this position is to plan, implement and supervise the operations of the 911 Center for all City departments including the Board of Education and to supervise the emergency alarm system and to perform electronic/electrical work. The work is performed under the direction of the Mayor.

Essential Duties and Responsibilities

The following duties are normal for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Plans, implements and supervises the operations of the 911 Center; prepares budget and capital expenditures; plans the response to major emergencies. Reviews and monitors department contracts.
- Supervises department personnel; interviews, tests and recommends candidates for hire; arranges or conducts training and instruction; plans, coordinates; assigns and reviews work; maintains standards; acts on grievances; allocates personnel and evaluates performance.
- Supervises and performs inspection, testing, maintenance and repair of electronic equipment in the Center and throughout the City; engineers, designs, builds and installs all electronics; prepares bids and specifications for equipment purchases.
- Oversees the inspection, maintenance, testing and repair of all alarm systems; performs work on alarm systems.
- Maintains all department phones, phone lines, operations, repair and expansion; maintains all microwave links to off premises sites.
- Installs, tests and maintains mainframe and network within Dispatch, Police Department and Fire Departments.
- Responds to any failures and emergencies.
- Prepares a variety of reports, documents and correspondence.
- Attends a variety of meetings including Directors, Council, LEPC, Emergency Services, Emergency Telecommunications, etc.
- Maintains knowledge of state and federal laws, NFPA Fire Codes, National Electrical Codes; ensures department compliance with these and other requirements.
- Performs other related functions as assigned or required.

Minimum Training and Experience Required to Perform Essential Job Functions

Associates degree in electronics or closely related field with vocational/technical training in Electronics or a related field with five years of related experience with progressively responsible supervisory experience or any combination of education and experience that provides equivalent knowledge, skills and abilities. Position requires Connecticut ISDN E-911 System Administrator and Telecommunicator certifications possession of a valid Connecticut driveris license. State certification as a Licensed Electronic Technician is desirable.

Physical and Mental Abilities Required to Perform Essential Job Functions

Language Ability and Interpersonal Communication

- Requires the ability to perform mid-to upper-level data analysis including the ability to coordinate, strategize, systematize and correlate, using discretion in determining time, place and/or sequence of operations within an organizational framework. Requires the ability to implement decisions based on such data, and oversee the execution of these decisions.
- Requires the ability to provide first line supervision. Ability to persuade, convince, and train others. Ability to advise and provide interpretation regarding the application of policies, procedures and standards to specific situations.

- Requires the ability to utilize a wide variety of reference, descriptive, advisory and/or design data and information such as payroll reports, budgets, contracts, directives, quotes, bids, logs, grievances, ordinances, schematics, product guides, statutes, procedures and non-routine correspondence.
- Requires the ability to communicate orally and in writing with the Mayor and Mayor's Assistant all Communications personnel, City Directors, Chiefs, Council members, City employees, contractors, State and Federal agencies and the public.

**Mathematical Ability**

- Requires the ability to perform addition, subtraction, multiplication and division; calculate percentages and decimals; may require the ability to perform mathematical operations with fractions, algebra, geometry and trigonometry.

**Physical Requirements**

- Requires the ability to operate, calibrate, tune and synchronize, and perform complex rapid adjustment on equipment, machinery and tools such as a computer and other office machines, service monitor, oscilloscope, spectrum analyzer, frequency counter, various meters and tools, and/or related materials used in performing essential functions.
- Ability to coordinate eyes, hands, feet and limbs in performing skilled movements such as rapid keyboard use.
- Tasks involve the ability to exert light physical effort in sedentary to light work, but which may involve some lifting, carrying, pushing and pulling of objects weighing five to ten pounds.
- Requires the ability to recognize and identify similarities or differences between characteristics of colors, shapes and sounds associated with job-related objects, materials and tasks.

**Environmental Adaptability**

- Ability to work under generally safe and comfortable conditions where exposure to environmental factors such as temperature and noise extremes, electrical currents or machinery may cause discomfort and poses a limited risk of injury.

The City of Middletown is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the City will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

**Agenda Item 11-8**

Councilman Loffredo reads and moves for approval agenda item 11-8 and his motion is seconded by Councilman Pessina.

**Motion to Amend**

Councilwoman Kasper states she offers an amendment to the job description under essential duties, third bullet by adding the words or any other qualified system and on page 2, Minimum Training Experience to add in the last sentence Valid Emergency Fire Dispatch, Emergency Police Dispatch after the words Emergency Telecommunication. Councilman Serra seconds the motion. Councilman Pessina states the director said it is not necessary to do that and he acquiesced that if she wanted to put them in, fine. We don't need more than what the Personnel Review Commission wanted or second guessing the director. Councilwoman Kasper states we have the emergency medical certification and it should read emergency police and fire and they should be trained in all areas and she didn't want it lost and thought we should add the certifications for police and fire.

Councilman Daley states he is not sure there are separate certifications for fire and police dispatch; the key is they need EMS and that is critical. Based on the director's representation that it was not needed and if there is any certification, I am not sure. I would oppose that portion of it. It doesn't want certifications that don't exist. Councilman Pessina states, he said that. Councilman Santangelo states he will go along with Councilman Daley; they are trained EMD because of special protocols. All the others, they are basically trained for police and fire and medical is added on. It is already there and he doesn't understand the separate certifications.

Councilwoman Kasper states they were in the job description previously and she asked if they were trained in that and he said yes. Councilman Santangelo states the dispatch certification is on those areas to begin with. That is what you dispatch. You do it automatically and medical is a separate protocol.

**Vote on Amendments**

The Chair calls for the vote on the amendments. It is three aye votes by Council Members Serra, Kasper, and Faulkner; eight nay votes by Council Members Loffredo, Pessina, Daley, Bibisi, Santangelo, Streeto, Kleckowski, and Bauer; and one abstention by Councilman Klattenberg. The Chair states the nays have it; the amendments fail.

Councilwoman Kasper states we should be adding those; the director stated some have that certificate. I think we will not have a standard for dispatcher and it stands alone.

The Chair states this is MMPA and he is not sure that they can dispatch. Councilwoman Kleckowski states they do not dispatch. Councilwoman Kasper asks how they can train others. The Chair asks that she stays on top of this if there is a problem.

Seeing no further discussion, the Chair calls for the vote on the item as presented. It is eleven aye votes by Council Members Serra, Loffredo, Klattenberg, Pessina, Daley, Bibisi, Santangelo, Streeto, Faulkner, Kleckowski, and Bauer; and one nay vote by Councilwoman Kasper. The Chair states the matter passes with eleven affirmative votes, one negative vote and no abstentions.

Resolution No.  
File Name  
Description

**146-10**  
**pedeputydircetnralcomm.doc**  
**Approving reclassifying the position of Deputy Communications Officer, Local #466, Salary Grade 12 (\$23.27 - \$34.43) to Deputy Director of Central Communications, MMPA Salary Grade 14 (\$27.74 - \$41.05) with the job description approved for inclusion into the City's classified plan and approving the removal of the position of Deputy Communications Officer from the classified plan.**

(APPROVED)

Be it resolved by the Common Council of the City of Middletown:

That the position of Deputy Communications Officer, Local #466 Salary Grade 12 (\$23.27 - \$34.43) be reclassified to Deputy Director of Central Communications, MMPA Salary Grade 14 (\$27.74 - \$41.05) and corresponding job description for inclusion into City's Classified plan.

BE IT FURTHER RESOLVED that the position of Deputy Communications Officer be removed from the classified plan.

Financial Impact: Fiscal impact increase salary line, decrease overtime. Transfer of \$13,000 should be transferred from overtime to the salary line.

Position Description

Title:

Deputy Communications Officer

Job Code:

18705

Deputy Director of Central Communications

Department:

Central Communications

Date:

May, 2005

Salary:

Grade 12 ó Local 466 ó Hours Mon-Fri 8:00 to 4:00

Revised 10/10

Salary Grade 14 ó MMPA

8:00 to 4:00

Exempt overtime

Title:

Deputy Director of Central Communications

Job Code:

18705

Department:

Central Communications

Date:

Revised 10/10

Salary Grade 14 ó MMPA

8:00 to 4:00

Exempt overtime

Purpose of Position

The purpose of this position is to assist in the administration of the Central Communications Center, coordinate training programs, and to provide quality control measures for the Department. The work is performed under the direction of the Director of Central Communications.

Essential Duties and Responsibilities

- The following duties are normal for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.
- Serves as training coordinator for the department. Trains employees, presents formalized classes, on the job training and schedules vendor supplied training on and off site.
  - Assesses Dispatchers job related knowledge and makes recommendations for assignment upon completion of training period.
  - Performs Quality Assurance on calls in accordance with standards set forth by the City of Middletown.
  - Updates and maintains CAD System, ISDN E911 System and dispatch operations programs.
  - Researches, reviews and selects training material.
  - Researches protocols & procedures; writes protocols and procedures as directed.
  - Tracks, maintains and oversees Dispatcher certifications
  - Responsible for department scheduling of shifts and filling of vacancies to meet minimum staffing. Prepare all necessary paperwork for work shift assignments.
  - Performs or assists in department accounts payable; payroll functions.
  - Assists with department budget preparation

- Attends various meetings as directed; plans and participates in communication educational events.
- Prepares department reports as requested.
- Acts as Director of Central Communications in his or her absence.

#### ***Minimum Training and Experience***

High school diploma or equivalent with vocational/technical training in emergency telecommunications or a related field supplemented by five years of emergency dispatch experience and progressively responsible supervisory experience; or an equivalent combination of education, training and experience. Valid Connecticut Driver's License required. Valid Emergency Telecommunication, NCIC and EMD Certifications are required.

Ability to obtain within six (6) months from date of hire: ISDN E-911 System Administrator, all necessary dispatch quality control certifications and NCIC Administrator

#### **Physical and Mental Abilities Required to Perform Essential Job Functions**

##### **Language Ability and Interpersonal Communications**

- Requires the ability to analyze classify data and information, including the ability to review, categorizes, prioritize and/or reference data, people or things, and to group, rank or investigate. Requires discretion in referencing data analysis to the criteria, standards or requirements of a discipline or technique to determine interactive effects and relationships.
- Requires the ability to provide formal training to others in specific fields typically involving preparing and/or modifying teaching materials and methods. Requires the ability to provide guidance, assistance and/or interpretation to others.
- Requires the ability to utilize a wide variety of reference and descriptive data and information.
- Requires the ability to understand, interpret and apply instructions furnished in written, oral, diagram or schedule form. Involves diversified work requiring independent judgment to adapt or modify methods and standards to meet variations in assigned objectives.
- Requires the ability to communicate orally and in writing with the Chief Communications Officer; public safety individuals, other City Departments, state and federal agencies, the public and other employees.

##### **Mathematical Ability**

- Requires the ability to perform addition, subtraction, multiplication and division and to calculate percentages and decimals.

##### **Physical Requirements**

- Requires the ability to operate, calibrate, tune and synchronize, and perform complex rapid adjustment on equipment, machinery and tools such as computers and or related materials used in performing essential functions.
- Ability to coordinate eyes, hands, feet and limbs in performing skilled movements.
- Tasks require light physical effort in sedentary to light work, involving some lifting, carrying, pushing or pulling of light objects and material.

##### **Environmental Adaptability**

- Ability to work under conditions where exposure to environmental factors poses a limited risk of minor injury or illness.

The City of Middletown is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the City will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

#### **Agenda item**

#### **11-9**

Councilman Daley reads and moves for approval agenda item 11-9; his motion is seconded by Councilman Santangelo. The Chair recognizes Councilman Bauer

Councilman Bauer states I will not support this and for the record this states there is a positive \$60,000 impact, whether it is land or dollars, the approval is to transfer for \$60,000 a \$120,000 asset which we paid for in July this year. It makes his head hurt to call it a positive impact when selling a \$120,000 asset for \$60,000.

#### **Motion to Amend**

Councilman Klattenberg states I asked Director Warner about it that when we sold Cucia Park for \$1.9 million, it went to general fund and the Council agreed that the parcels purchased by the Bysiewicz property that some of the proceeds would be used to compensate the City for the sale of Cucia Park and loss of the parkland and he hopes as a friendly amendment an addition that recognizes that loss of land and the revenue generated would go to the compensation of open space land that we hope to gain. He adds be it further resolved that the sale proceeds be placed in the City's open space fund to assist in compensating the residents of the City of Middletown for the loss of the Cucia Park for the building of the Army Training Facility. Councilman Streeto seconds the motion

Councilman Serra asks if the intent was for recreation we lost. Councilman Daley states this is to offset to either purchase or improve some park. Councilman Klattenberg states the initial intent was to look in the Westfield area. Councilman Daley states it would be friendlier if it was in the Economic Development fund, but accepts it as a friendly amendment. Councilman Faulkner has an objection. The Chair states if there is an objection it will be voted on and asks if there is other discussion.

Councilman Faulkner states on the open space, and in the past we have committees that work on that and we have acquired plenty and continue to do so and will continue without doing this.

Councilman Pessina states in reference to Councilman Klattenberg's comments that is what he remembers and the intent of the money and he is on target and would like to speak to another portion of it. Councilman Streeto states that is my recollection and this issue of loss of open space in Westfield got lost in the shuffle and he commends Councilman Klattenberg for bringing it back on the radar screen.

Vote on Amendment

The Chair, hearing no further discussion, calls for the vote on the amendment. It is approved with eleven aye votes by Council Members Serra, Loffredo, Klattenberg, Pessina, Daley, Bibisi, Santangelo, Kasper, Streeto, Kleckowski, and Bauer and one nay vote by Councilman Faulkner. The Chair states the matter passes with eleven aye votes and one nay vote.

Councilman Faulkner states on the motion, he has concerns on the purchase of this. This is a portion of the lots that we purchased. Councilman Daley states it is a portion of one of the three lots and is 0 of an acre. As far as the sale price, he wasn't part of the discussions that in effect reduced the price based on \$143,000 per acre as the overall price; 0 acre would be 1\$20,000 and this 0 acre is undevelopable land as an industrial lot and the remainder would still be available and be enhanced for future industrial development.

Councilman Pessina states he understands we worry about the money and to Councilman Bauer's concern about positive impact. This is positive for Westfield in the safety aspect. For land that is not developable we are taking a diamond in the rough and making it into a fire service substation. It is needed out there and it will enhance, positively to Westfield and Middletown. Anytime we do something to improve safety, it is a great thing and a good thing. He will support this. Councilman Santangelo states he agrees with Councilman Pessina and looking at the service in Westfield, he applauds you for putting one there. It will be two fire stations, one closer to Councilman Faulkner's house. Time is an important factor when dealing with fire services. You will see more development in the area. He supports this strongly.

The Chair calls for the vote. It is nine aye votes by Council Members Serra, Loffredo, Klattenberg, Pessina, Daley, Bibisi, Santangelo, Streeto, and Kleckowski; two nay votes by Council Members Kasper and Bauer; and one abstention by Councilman Faulkner. The Chair states the matter passes with nine affirmative votes, two in opposition, and one abstention.

Resolution No.  
File Name  
Description

147-10  
pcdWestfieldFireBysiewiczDr.doc  
Approving conveying ¾ acre of City-owned property, Lot #350, Bysiewicz Drive for the sum of \$60,000 to the Westfield Fire Department for a future fire station in the area west of I-91.

(AMENDED AND APPROVED)

WHEREAS, Westfield Fire Department is seeking to acquire a three quarter acre portion of the 3.14 acre Lot # 350 Bysiewicz Drive owned by the City of Middletown for the purpose to construct a future fire station to enhance fire protection in the area west of Interstate 91.

WHEREAS, at the October 12, 2010 meeting of the Economic Development Committee, the Committee voted to recommend to the Common Council to convey for the sum of \$60,000 a three quarter acre portion of Lot # 350 Bysiewicz Drive to Westfield Fire Department.

WHEREAS, the Planning and Zoning Commission, will review the request by the Economic Development Committee to grant a CGS 8-24 review and re-subdivision approval at their November meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That the Mayor is authorized to sign all documents necessary to convey this site to the Westfield Fire Department for the sum of \$60,000.

BE IT FURTHER RESOLVED: That the sale proceeds be placed in the City's open space fund to assist in compensating the residents of the City of Middletown for the loss of the CCucia Park for the building of the Army Training Facility.

FINANCIAL IMPACT –There is a \$60,000 positive impact to the general fund.

**Agenda Item 13****Description Contingency Fund Transfers**

The Chair states there are no contingency fund transfers to announce at this time.

**Agenda Item 14****Description Questions to Directors on Nonagenda Items**

There are no questions to directors on nonagenda items.

Councilman Streeto has a couple of questions for the Chair; it is my understanding that a response to the Board of Education suit was filed this week. The Chair responds last week. Councilman Streeto asks if the question of the transfer of 466 employees from the Board of Education to the City was that part of the suit. The Chair states he doesn't believe it is. Councilman Streeto asks if the City should include that aspect and get it done. The Chair states it is Attorney Clemow who is working on this case and he tells the Councilman to call him.

**Motion to Adjourn**

Councilman Bauer moves to adjourn and her motion is seconded by Councilman Pessina. There is no discussion and the vote is called. It is unanimous to adjourn and the Chair declares it at 8:44 p.m.

ATTEST:

MARIE O. NORWOOD  
Common Council Clerk